IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FIFTEENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 23236 of 2004

Between:

Kandrathi Naga Raju S/o.Shivaji
H.No.17-1-103, Kandukuru,
Prakasam Dist.

..... PETITIONER

AND

1. The Principal Secretary to Government

Social Welfare Department, Secretary to Government
Secretariat, Buildings,
Hyderabad.

2 The Collector & District Magistrate,
Prakasam Dstrict, Ongole.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ order or direction more in the nature of writ of Mandamus declaring the action of the 1st respondent in not considering the application filed by the petitioner seeking stay of the operation of the proceedings of the respondent No.2 Collector and District Magistrate, Prakasam District in proceedings Rc.No.C4/1302/2002, dt 24-6-2004 pending the appeal as illegal, arbitrary offending Articles 14 and 21 of the constitution of India and consequentially to suspend the operation of the proceedings Rc.No.C4/1302/2002 dt 24-6-2004 pending the appeal before the 1st respondent.

Counsel for the Petitioner:MR.M.SUDHIR KUMAR

Counsel for the Respondent Nos.1 & 2: GP FOR SOCIAL WELFARE

The Court at the stage of admission, made the following :

ORDER:

This writ petition is filed to issue a writ of mandamus declaring the action of the 1st respondent in not considering the application filed by the petitioner seeking stay of operation of the proceedings of the 2nd respondent dated 24.6.2004 as illegal and arbitrary.

The learned counsel for the petitioner contended that 1st respondent has to pass appropriate orders on the application filed by the petitioner against the orders of the District Collector, Prakasam in Rc.No.C4/1302/2002 dated 24.6.2004. But so far, the 1st respondent has not passed any orders.

On the other hand, the learned Standing Counsel appearing for the respondents stated that the appeal is filed very recently.

In any view, 1st respondent has to pass appropriate orders on the application filed by the petitioner, but no orders have been passed. The said application along with the appeal was filed on 28.7.2004.

Therefore, the writ petition is disposed of directing the 1st respondent to pass appropriate orders on the said application of the petitioner, within a period of three weeks from the date of receipt of a copy of this order. No order as to costs.

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15.12.2004

bsv

To

1. The Principal Secretary to Government

Social Welfare Department, Secretary to Government
Secretariat Buildings,
Hyderabad.

2 The Collector & District Magistrate,
Prakasam Dstrict, Ongole.

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